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Book Review. Pound, Roscoe, Outlines of Lectures on Jurisprudence

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BOOK REVIEWS

LAW ENFORCEMENT IN MISSOURI: A DECADE OF CENTRALIZATION AND CENTRAL CONTROL IN APPREHENSION AND PROSECUTION (1931-1941), by *J. G. Heinberg and A. C. Breckenridge*. University of Missouri Study, Columbia, Mo. Pp. 77, \$1.25.

Some seventeen years ago the Missouri Crime Survey completed the most searching analysis that the administration of criminal law has been subjected to in any state of the Union. The present study is, in turn, an analysis of the progress made in putting into effect the recommendations that were made in the survey, and particularly in centralizing administration. It is no reflection on the authors or their work to say that this means a constant effort to make a series of mole hills (perhaps worm casts would be a better term) look like mountains.

The growth of centralization they tell us can be explained in regard to three governmental agencies: the state highway patrol, the Governor and the Attorney General. It is true that the patrol was created since the Survey was completed. But the outside observer has a hard time being impressed. Practically every state now has a patrol, or better yet a real state police. Missouri's little group of 175 highway officers (of whom no fewer than ten are captains) will scarcely put it in the forefront, nor are matters altered by the remarkable provision that candidates must declare their political party and that half the officers are to be Republicans and half Democrats. Watching the changes in the Governor's functions is about as rewarding as watching a snail crawl around a very small circle. As for the Attorney General, centralization seems not to have affected him at all.

It is true that there has been some progress in securing supervision over the performance of sheriffs and county prosecutors by means of ouster suits initiated by the Governor and prosecuted by the Attorney General, largely with the aid of evidence secured by the highway patrol. The authors themselves, however, point out so many shortcomings in the method of ouster as to deprive it of most of its value.

All in all, despite the authors' best efforts, the reaction uppermost in a reader's mind will almost surely be one of keen disappointment—disappointment because so thorough a survey as that of seventeen years ago should have led to such puny results.

E. W. PUTTKAMMER

University of Chicago

OUTLINES OF LECTURES ON JURISPRUDENCE (5th Edition), by *Roscoe Pound*. Harvard University Press. Cambridge, 1943. 244 pp. \$3.00.

This Outline is the product of Dean Pound's requirements for the courses in Jurisprudence which he has taught for 43 years. It represents both the advantages and the shortcomings of the personal need and purpose which prompted its compilation. Beginners in this field should find the outlines especially helpful. It is one way of analyzing the subject, presented in detail. But many who have worked in Jurisprudence for a substantial time will find the book highly unsatisfactory. Pound's broad divisions of the field have been seriously criticized, and they are certainly questionable as the most significant approaches. Again, Pound's evaluations,

indicated by his placing some works in large type (required reading for his students) and others in small type, will find wide dissent among teachers in this field. Finally and most unfortunate for readers of this Journal, Pound devotes very little space to Criminal Law although, in this country and even more in Europe, many of the most important contributions to Jurisprudence have been made by scholars writing on, the Criminal Law or within its framework.

But despite the Outline's shortcomings it must be recognized that Pound has been a pioneer in the broad surveying of the general field of Jurisprudence, and the only American who has compiled a bibliography. His publication of his Outline makes it generally available to teachers who will appreciate his service to them regardless of their own analysis and organization of their courses.

JEROME HALL

Indiana University Law School

LABOR ARBITRATION, by *John A. Lapp*. New York: National Foremen's Institute, Inc., 1942, 231 pages, xv, \$3.50.

It is often assumed that there is little ground for confidence between management and labor and the best that can be expected is a sort of armistice between these mutually antagonistic groups. Dr. Lapp repudiates this assumption. He believes that the majority of labor controversies can be avoided by the method of arbitration if this can take place in the atmosphere of conference, free from "legalism," and the tendency to make arbitration proceedings like those of court. Arbitration can be made an orderly substitute for strikes and lock-outs.

Over the years, a new philosophy and new techniques for implementing this philosophy have been developed, but these have not been available in systematic form. Dr. Lapp, one of the foremost "practitioners" in labor relations, fortunately has taken time to put his experience into book form which he dedicates:

To those leaders of labor and industry, who have hammered out on the anvil of experience a system for the peaceable adjustments of disputes through the processes of conference and arbitration, this book is dedicated in the hope that their examples in the establishment of constitutional government in industry may be widely followed.

How arbitration works and what methods have proved valid are discussed under nine major sections, including such topics as: The Field of Arbitration, Type of Labor Cases, The Law of Arbitration, The Arbitration Tribunal and The Arbitrator's Responsibility.

This book, although marginal to the field of criminology, certainly has significant implications. It is, in the judgment of the reviewer, one of the best statements of the subject to appear in recent years.

JESSE A. JACOBS

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